



**CALIFORNIA STATE
PUBLIC WORKS BOARD**

EDMUND G. BROWN JR. • GOVERNOR

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Agenda with Analysis

STATE PUBLIC WORKS BOARD

**Monday, August 6, 2018 at 10:00 a.m. in
Room 113, State Capitol, Sacramento, California**

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Pursuant to section 11125 of the Government Code, notice of all Board meetings will be given at least ten days in advance and such notice must include a copy of the agenda. Members of the Public may address the Board prior to it taking action on any matter in the agenda.

This notice and the Board agenda for the current month are available on the Internet at: <http://www.spwb.ca.gov>.

Individuals who need disability-related accommodation, including auxiliary aids for effective participation at this public meeting are invited to make their requests and preferences known to Kathryn Lee at (916) 445-9694 or e-mail to Kathryn.Lee@dof.ca.gov, five days prior to the meeting.

BOND ITEM

BOND ITEM—1

**JUDICIAL COUNCIL OF CALIFORNIA (0250)
NEW REDDING COURTHOUSE
SHASTA COUNTY**

*Authority: Sections 70371.5 and 70371.7 of the Government Code
Chapter 1, Statutes of 2009, Third Extraordinary Session, as amended by
Chapter 1, Statutes of 2009, Fourth Extraordinary Session, as reappropriated
by the Budget Act of 2012
Chapter 33, Statutes of 2011, Item 0250-301-3138 (14)
Chapter 25, Statutes of 2014, Item 0250-301-3138 (9)
Chapters 10 and 11, Statutes of 2015, Item 0250-301-3138 (3)
Chapters 29 and 30, Statutes of 2018, Item 0250-301-0660 (3)*

Consider adoption of a resolution to:

- 1) Authorize actions to be taken to provide for interim financing and declare the official intent of the Board to reimburse certain capital expenditures from the Public Buildings Construction Fund from the proceeds of the sale of bonds.**
- 2) Authorize the sale of lease revenue bonds.**
- 3) Approve the form of and authorize the execution and delivery of a Project Delivery Agreement between the Judicial Council of California and the Board.**
- 4) Approve and take actions and execute documents as may be needed to carry out the purposes of this resolution.**

Total Bond Appropriation

\$138,763,000

BOND ITEM

STAFF ANALYSIS ITEM—1

Judicial Council
New Redding Courthouse
Shasta County

Action Requested

If approved, the requested action would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions.

Scope Description

This project is within scope. The authorized scope for this project includes construction a new 14-courtroom, approximately 165,000 square feet courthouse in the City of Redding, Shasta County. The project will consolidate court operations from three facilities and will relieve the current space shortfall, improve security, and replace inadequate and obsolete buildings in Shasta County. The project will replace operations at the Main Courthouse and Annex on Court Street,

and two Justice Centers at West Street and Radio Lane. To improve security, this project will include entrance screening with two screening stations, one magnetometer, one x-ray machine, and a building security control room.

Funding and Cost Verification

This project is within cost. A total of \$160,357,000 has been appropriated for acquisition (\$4,590,000), preliminary plans (\$6,028,000), working drawings (\$8,675,000) and construction (\$141,064,000).

\$ 160,357,000	Total authorized project costs
\$ 160,357,000	Total estimated project costs
\$ 21,594,000	Costs previously allocated: \$4,590,000 acquisition, \$6,028,000 preliminary plans, and \$8,675,000 working drawings, \$2,301,000 preconstruction demolition
\$ 138,763,000	Costs to be allocated: \$138,763,000 construction (\$120,185,000 contract, \$6,141,000 contingency, \$2,344,000 A&E, \$10,093,000 other).

CEQA

A Notice of Exemption was filed with the State Clearinghouse on December 15, 2010. The 35-day statute of limitations period expired without challenge.

Real Estate Due Diligence

A Summary of Conditions letter for this project was completed on November 6, 2015. The letter recommended that the Property Acquisition Agreement be amended to subordinate a use restriction to the Board's financing agreements. This amendment is pending and needs to be formally approved by the Shasta County Board of Supervisors before an interim financing loan is secured for the project.

Project Schedule

Approve preliminary plans:	December 2015
Complete working drawings:	June 2018
Start construction:	October 2018
Complete construction:	March 2021

Staff Recommendation: Adopt resolution.

BOND ITEM

BOND ITEM—2

**JUDICIAL COUNCIL OF CALIFORNIA (0250)
NEW SONORA COURTHOUSE
TUOLUMNE COUNTY**

*Authority: Sections 70371.5 and 70371.7 of the Government Code
Chapter 33, Statutes of 2011, Item 0250-301-3138 (18)
Chapter 25, Statutes of 2014, Item 0250-301-3138 (13)
Chapters 10 and 11, Statutes of 2015, Item 0250-301-3138 (6)
Chapters 29 and 30, Statutes of 2018, Item 0250-301-0660 (5)*

Consider adoption of a resolution to:

- 1) Authorize actions to be taken to provide for interim financing and declare the official intent of the Board to reimburse certain capital expenditures from the Public Buildings Construction Fund from the proceeds of the sale of bonds.**
- 2) Authorize the sale of lease revenue bonds.**
- 3) Approve the form of and authorize the execution and delivery of a Project Delivery Agreement between the Judicial Council of California and the Board.**
- 4) Approve and take actions and execute documents as may be needed to carry out the purposes of this resolution.**

Total Bond Appropriation

\$60,119,000

BOND ITEM

STAFF ANALYSIS ITEM—2

Judicial Council
New Sonora Courthouse
Tuolumne County

Action Requested

If approved, the requested action would adopt a resolution authorizing actions to be taken to provide for interim financing, authorize the sale of lease revenue bonds, and other related actions.

Scope Description

This project is within scope. The authorized scope for this project is to construct a new 5-courtroom, approximately 62,000 building gross square feet facility in the City of Sonora, Tuolumne County. The project will provide space for five judicial officers and provides a modern, secure courthouse for the residents of Tuolumne County. It will replace three existing deficient court facilities and create operational efficiencies and on-going savings through consolidation of current court services. This new courthouse will provide centralized court proceedings for the county.

Funding and Cost Verification

This project is not within cost. A total of \$66,434,000 has been appropriated for acquisition (\$1,597,000), preliminary plans (\$3,049,000), working drawings (\$4,066,000) and construction (\$57,722,000). A new construction cost estimate was prepared in association with working drawings approval. Based on this revised estimate, the current total estimated construction cost is \$60,119,000, which is \$2,397,000 more than recognized project costs. However, no deficit will be recognized at this time. When bid results are available, staff will determine whether the project requires an augmentation to proceed.

\$ 66,434,000	Total authorized project costs
\$ 68,830,000	Total estimated project costs
\$ 8,712,000	Costs previously allocated: \$1,597,000 acquisition, \$3,049,000 preliminary plans, and \$4,066,000 working drawings
\$ 60,119,000	Costs to be allocated: \$60,118,000 construction (\$52,136,000 contract, \$2,664,000 contingency, \$1,046,000 A&E, \$4,272,000 other)
\$ 2,397,000	Potential deficit: construction (\$2,397,000 contract)

CEQA

A Notice of Exemption was filed with the State Clearinghouse on November 23, 2011. The 35-day statute of limitations period expired without challenge.

Real Estate Due Diligence

A Summary of Conditions letter for this project was completed on December 3, 2015. No issues that would adversely affect the quiet enjoyment and beneficial use of the project were identified.

Project Schedule

Approve preliminary plans:	January 2016
Complete working drawings:	June 2018
Start construction:	October 2018
Complete construction:	January 2022

Staff Recommendation: Adopt resolution.

MINUTES

Consider approving the minutes from the July 16, 2018 meeting.

Staff have reviewed the minutes from the July 16, 2018 meeting and recommend approval of those meeting minutes.

Staff Recommendation: Approve minutes from the July 16, 2018 meeting.

CONSENT ITEM

CONSENT ITEM—1

DEPARTMENT OF MOTOR VEHICLES (2740)
REEDLEY FIELD OFFICE REPLACEMENT
EAST DINUBA AVENUE
FRESNO COUNTY
DGS Parcel Number 10879

*Authority: Chapters 14 and 22, and 54, Statutes of 2017, Item 2740-301-0044(5)
Chapters 29 and 30, Statutes of 2018, Item 2740-301-0044(3)*

Consider:

- a) Authorizing acquisition
- b) Authorizing execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition

CONSENT ITEM

STAFF ANALYSIS ITEM—1

Department of Motor Vehicles
Reedley Field Office Replacement
East Dinuba Avenue
Fresno County

Action requested

If approved, the requested action would authorize acquisition and the execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition

Scope Description

This project is within scope. This request will authorize the Department of Motor Vehicles (DMV) to purchase approximately 3.5 acres of land located on East Dinuba Avenue, in the City of Reedley (the Property) for the construction of a replacement DMV field office. The site is 1 acre larger than indicated in the COBCP to accommodate a 10' public utilities easement around most of the perimeter. Also, it is the smallest size the owner could sell without creating an adjacent unusable remnant.

Funding and Cost Verification

This project is within cost. The Budget Act of 2017 provides \$2,173,000 for acquisition and the Budget Act of 2018 provides \$1,142,000 for preliminary plans. Future costs include \$1,213,000 for working drawings and \$16,113,000 for construction.

CEQA

A Notice of Exemption was filed with the State Clearinghouse on June 13, 2018, and the 35-day statute of limitations expired on July 18, 2018 without challenge.

Project Schedule

The anticipated close of escrow is October 2018.

Condition of Property

The Department of General Services (DGS), Environmental Services Section (ESS) staff conducted a site visit to the subject property on November 2017. The subject property is vacant land consisting of approximately 3.5 acres, identified as Fresno County Assessor's Parcel Numbers (APN) 370-400-33, 370-400-34, and 370-400-35 (the Property). The Property is located northeast of the intersection of East Dinuba Avenue and South Buttonwillow Avenue approximately 1.5 miles from downtown Reedley, California, Fresno County. The historical use of the Property was commercial agricultural production; however, current surrounding growth includes residential and commercial development.

The southern boundary of the Property is flat with frontage along East Dinuba Avenue. The Property is improved with sidewalks, curbs and gutter along the south and easterly boundary. The northern boundary contains a seven-foot masonry block wall situated between the Property and East Cherry Lane. A residential subdivision is located immediately north and east of the Property. Local public utilities are located in and along East Dinuba Avenue.

The Property is zoned Neighborhood Commercial (CN/SP) and Residential (RM), and the General Plan designation is Commercial. The Property is outside the 100-year floodplain.

Phase I and Limited Phase II Environmental Site Assessment (ESA)

A Phase I and limited Phase II ESA dated June 2018 was prepared by URS Corporation. The Property was historically used as commercial agricultural. Based on the results of the Phase I ESA and Limited Phase II ESA, it does not appear that agricultural pesticides and metals in soils of the subject property exceed acceptable limits, and petroleum hydrocarbons are not affecting the Property.

DGS did not observe any additional environmental concerns.

Other:

- The Board approved site selection for this property on January 12, 2018.
- The purchase price does not exceed the estimated fair market value of the property as determined by a DGS-approved appraisal.
- The site meets the requirements of DMV.
- There are no historical issues and no implied dedication associated with the property.
- No relocation assistance is required.
- Neither DGS, nor DMV is aware of any lawsuits pending concerning the properties. The Property Acquisition Agreement requires delivery of title to the property free and clear of any mortgages or liens.
- The proposed project location is consistent with the state's planning priorities in accordance with Government Code Section 65041 et seq.

Staff Recommendation: **Authorize acquisition and execution of a Property Acquisition Agreement and other such documents as may be required to complete the acquisition.**

CONSENT ITEM

CONSENT ITEM—2

DEPARTMENT OF GENERAL SERVICES (7760)
STATE PRINTING PLANT DEMOLITION PROJECT
SACRAMENTO COUNTY

Authority: Chapters 14, 22, and 54, Statutes of 2017, Item 7760-301-0001 (1)
Chapters 29 and 30, Statutes of 2018, Item 7760-301-0001 (1)

Consider:

- a) Approve preliminary plans
- b) Recognizing an anticipated deficit

\$6,732,000
(40.8 percent of total project costs)

CONSENT ITEM

STAFF ANALYSIS ITEM—2

Department of General Services
State Printing Plant Demolition
Sacramento County

Action Requested

If approved, the requested action would approve preliminary plans and recognize an anticipated deficit.

Scope Description

This project is within scope. The project includes the demolition and clearing of the 17-acre property to prepare it for new office space development in a future year. The Office of State Publishing is in the process of securing leased space with planned relocation by late-2018.

Funding and Project Cost Verification

The project is not within cost. The Budget Act of 2017 provided \$909,000 for the preliminary plans phase of this project. The budget cost estimate used to fund working drawings identified a construction phase cost of \$14,739,000. The working drawing phase of the project is within budget. However, additional details revealed during the preparation of preliminary plans have resulted in a higher estimated construction phase cost.

Specifically, hazardous materials and structures that were previously unidentified were revealed, including an incinerator, printing plant equipment remnants, fertilizer and chemical storage containers, an underground fuel tank, septic tank and leach field, a rail spur, and a landfill containing spent ammunition, hazardous waste and other trash materials dumped throughout the life of the property. Also, asbestos and lead contamination was found at more locations and at significantly higher levels than shown in the Phase I and II assessments, and was identified on major equipment, drywall, roofing, insulation, and on underground pipes and soils throughout the site. These items and the surrounding areas, including associated soils, require excavation activities, hazardous materials abatement, demolition and disposal. It is anticipated that these

additional demolition requirements will increase construction costs for the project from \$14,739,000 as previously estimated, to \$21,471,000, and total project costs from \$16,463,000 to \$23,195,000, a 40.8 percent increase. Construction funding has not yet been appropriated.

On July 16, 2018, the Department of Finance notified the chairs of the Joint Legislative Budget Committee, the fiscal committees of both houses, and the legislative advisers of the Board of its intent to recognize the anticipated deficit and recommend that the Board recognize this cost increase no sooner than 20 days from that date.

\$16,463,000	Total authorized project costs
\$23,195,000	Total estimated project costs
\$909,000	Project costs previously allocated: preliminary plans
\$15,554,000	Project costs to be allocated: \$815,000 working drawings and \$14,739,000 construction (\$12,047,000 contract, \$843,000 contingency, \$1,185,000 A&E, and \$664,000 other project costs).
\$6,732,000	Anticipated deficit: \$6,732,000 construction (\$6,210,000 contract, \$435,000 contingency, \$69,000 A&E, and \$18,000 other project costs.)

CEQA

A Notice of Determination was filed with the State Clearinghouse on May 24, 2018. The 30-day statute of limitations expired on June 23, 2018 without challenge.

Real Estate Due Diligence

Board staff have determined that no real estate due diligence is required for this project. Any real estate due diligence for the site will be completed associated with any future state project on the site.

Project Schedule

Approve preliminary plans:	August 2018
Complete working drawings:	April 2019
Start construction:	October 2019
Complete construction:	October 2020

Staff Recommendation: **Approve preliminary plans and recognize an anticipated deficit.**

ACTION ITEM

ACTION ITEM—1

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
FRESNO COUNTY**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1) as reappropriated by the Budget Act of 2018
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1) as reappropriated by the Budget Act of 2018
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15853 of the Government Code*

Consider authorizing site selection of assessor's parcels in full or in part.

High Speed Rail Authority Parcel Number	Assessor Parcel Number
Fresno County	
FB-10-1511	338-110-12
FB-10-1543	334-041-25

ACTION ITEM

STAFF ANALYSIS ITEM—1

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

If approved, the requested action would authorize site selection of assessor's parcels in full or in part.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno, construction of a bridge over the San Joaquin River, several grade separations, two viaducts and the acquisition of approximately 1,600 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Project Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and

Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

Background

To date, the Board has site-selected approximately 1,600 parcels comprising approximately 120 miles from Madera to near Bakersfield. This total does not reflect properties associated with right-of-way transfer agreements with local government.

Parcel FB-10-1511 is needed for a Pacific Gas and Electric utility easement near the E. Floral Avenue grade separation, and parcel FB-10-1543 is needed for pipe jacking pits adjacent to the BNSF railroad.

For these properties, the CEQA and NEPA processes were completed in 2014. Consistent with corridor based projects, minimal real estate due diligence has occurred to date as the alignment determines which properties must be acquired and any abatement or title issues will be resolved during or shortly after acquisition.

Staff Recommendation: Authorize site selection of assessor's parcels in full or in part.

ACTION ITEM

ACTION ITEM—2

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
KINGS COUNTY**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1) as reappropriated by the Budget Act of 2018
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1) as reappropriated by the Budget Act of 2018
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b)(2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of amended Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties:

- 1. Richards' Family Land, LLC Property (Kings County)**
Authority Parcel Number: FB-16-0142-2
Assessor Parcel Number: 014-260-100
- 2. River Ranch Farms LLC Property (Kings County)**
Authority Parcel Numbers: FB-16-0202-1, FB-16-0202-4, FB-16-0202-5, FB-16-0202-6, FB-16-0205-1, FB-16-0205-2, FB-16-0205-3, FB-16-0205-4, FB-16-0205-5, FB-16-0206-1, FB-16-0206-2, and FB-16-0275-1
Assessor Parcel Numbers: 016-260-001, 016-260-014, 028-050-016, and 016-260-015

ACTION ITEM

STAFF ANALYSIS ITEM—2

High Speed Rail Authority
Initial Operating Segment, Section 1
Kings County

Action Requested

If approved, the requested action would adopt amended Resolutions of Necessity (RONs) authorizing the use of eminent domain.

Richard's Family Land, LLC Property: On October 13, 2017, the Board adopted RON 2017-0055, authorizing the use of eminent domain to acquire the Richard's Family Land, LLC property in Kings County. Subsequent to that action, a design change occurred which reduced the fee area required for the High Speed Train System right of way.

River Ranch Farms, LLC Property: On August 12, 2016, the Board adopted RON 2015-0221, authorizing the use of eminent domain to acquire the River Ranch Farms, LLC property in Kings County. Subsequent to that action, a design change occurred which eliminated the Iona Avenue overpass in Kings County. As a result, the area of fee acquisition for the property decreased, one permanent easement was replaced by a different permanent easement, one temporary construction easement was removed and two temporary construction easements were added.

On July 18, 2018, Notices of Intent to adopt an amended RON were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Staff Recommendation: **Adopt amended Resolutions of Necessity authorizing the use of eminent domain.**

ACTION ITEM

ACTION ITEM—3

**HIGH SPEED RAIL AUTHORITY (2665)
INITIAL OPERATING SEGMENT, SECTION 1
VARIOUS COUNTIES**

*Authority: Chapter 152, Statutes of 2012, Item 2665-306-0890 (1) as reappropriated by the Budget Act of 2018
Chapter 152, Statutes of 2012, Item 2665-306-6043 (1) as reappropriated by the Budget Act of 2018
Chapter 25, Statutes of 2014, Item 2665-306-3228 (1)
Section 39719(b) (2) of the Health and Safety Code
Section 39719.1 of the Health and Safety Code
Section 15854 of the Government Code*

Consider the adoption of Resolutions of Necessity authorizing the use of eminent domain to acquire the following properties for the High Speed Train System:

- 1. Fresno Metropolitan Flood District Property (Fresno County)**
Authority Parcel Number: FB-10-0626-1, FB-10-0626-2, FB-10-0627-1, and FB-10-0627-1
Assessor Parcel Numbers: 442-123-03 and 442-123-05
- 2. Kings Waste and Recycling Property (Kings County)**
Authority Parcel Numbers: FB-16-0415-2 and FB-16-0415-3
Assessor Parcel Number: 016-130-085
- 3. Semitropic Water Storage Property (Kern County)**
Authority Parcel Numbers: FB-15-0001-1, FB-15-0001-2, FB-15-0001-3, FB-15-0002-1, and FB-15-0002-2,
Assessor Parcel Numbers: 047-050-04, 047-050-05, 047-050-06, 047-040-01, 047-040-02, and 047-040-04

ACTION ITEM

STAFF ANALYSIS ITEM—3

High Speed Rail Authority
Initial Operating Segment, Section 1
Various Counties

Action Requested

If approved, the requested action would adopt Resolutions of Necessity authorizing the use of eminent domain to acquire three properties.

Scope Description

This project is within scope. The Initial Operating Segment, Section 1 (IOS-1) is expected to be approximately 120 miles starting from Madera and extending southward almost to Bakersfield. This initial section includes the realignment of Highway 99 in Fresno and relocation of railroad

lines, the construction of bridges over the San Joaquin and Fresno Rivers as well as other waterways, several dozen grade separations, multiple viaducts and trenches, and the acquisition of approximately 1,600 parcels. The IOS-1 is the first construction phase of the High Speed Train System (HSTS). The HSTS consists of Phase 1, which would provide 520 miles of the HSTS extending from San Francisco to Los Angeles/Anaheim, and Phase 2, which would extend the system to Sacramento and San Diego.

Funding and Cost Verification

This project is within cost. Chapter 152, Statutes of 2012, appropriated \$5.850 billion (\$2.609 billion High Speed Passenger Train Fund and \$3.241 billion federal funds) and Chapter 25, Statutes of 2014 provided an additional \$191.4 million Greenhouse Gas Reduction Fund for the IOS-1. In addition, Health and Safety Code section 39719 (b)(2) appropriates 25 percent of the annual proceeds of the Greenhouse Gas Reduction Fund for the Phase 1 Blended System and Health and Safety Code section 39719.1 authorizes repayment of a \$400 million General Fund loan from the Greenhouse Gas Reduction Fund for the Phase 1 Blended System. The IOS-1 is a component of the Phase 1 Blended System.

Background

In order to adopt a Resolution of Necessity that is required to initiate the eminent domain proceedings, the Board must consider that the following conditions have been met:

- (A) The public interest and necessity require the project;
- (B) The project is planned or located in the manner that will be most compatible with the greatest public good and the least private injury;
- (C) The property sought to be acquired is necessary for the project; and,
- (D) The offer required by Government Code section 7267.2 has been made to the owner or owners of record.

In 2008 the voters of California approved Proposition 1a, authorizing monies from the High-Speed Passenger Train Bond fund in support of this Project. In 2009 and 2010 the federal government approved funds in support of the portion of this Project extending from San Francisco to Anaheim, and in 2012 and 2014, through Chapter 152, Statutes of 2012 and Chapter 25, Statutes of 2014, the Legislature appropriated funds for the acquisition and design-build phases of the IOS-1 of the Project, extending from Madera to just north of Bakersfield.

The Property Acquisition Law, commencing with section 15850 of the Government Code, authorizes the Board to select and acquire in the name of the State of California (State) with the consent of the State agency concerned, the fee or any lesser right or interest in any real property necessary for any State purpose or function. This law also authorizes the Board to acquire property by condemnation, in the manner provided for in Title 7 (commencing at section 1230.010) of Part 3 of the Code of Civil Procedure.

Each of the properties is within the right of way for IOS-1 and was site selected at previous Board meetings. The site selections took place after an environmental review process where it was determined that any alternative alignment would include the selected parcels, or where a preferred alignment had already been approved by both the High Speed Rail Authority Board and the Federal Railroad Administration. Acquisition of these properties will allow the High Speed Rail Authority to move forward with construction of the HSTS.

Between March 2018 and May 2018, the various owners were provided with a first written offer to purchase the subject property, as required by Government Code section 7267.2. Negotiations to acquire the properties are continuing; however, in order to keep the project on schedule, the adoption of Resolutions of Necessity to authorize the use of eminent domain is required.

On July 18, 2018, Notices of Intent to adopt a Resolution of Necessity were mailed to the respective property owners. These notices were sent in accordance with Code of Civil Procedure section 1245.235.

Property Specific Information:

1. Fresno Metropolitan Flood District Property (Fresno County)
Authority Parcel Numbers: FB-10-0626-1, FB-10-0626-2, FB-10-0627-1, and FB-10-0627-1
Assessor Parcel Numbers: 442-123-03 and 442-123-05
Partial Acquisition: Approximately 0.99 acre total (0.83 acre in fee, 0.16 acre in easement)

This property will be needed for construction of the W. McKinley Avenue grade separation and realignment.

2. Kings Waste and Recycling Property (Kings County)
Authority Parcel Numbers: FB-16-0415-2 and FB-16-0415-3
Assessor Parcel Number: 016-130-085
Partial Acquisition: Approximately 0.31 acre total (0.05 acre in fee, 0.26 acre in easement)

This property will be needed for construction of the Houston Avenue grade separation.

3. Semitropic Water Storage Property (Kern County)
Authority Parcel Numbers: FB-15-0001-1, FB-15-0001-2, FB-15-0001-3, FB-15-0002-1, and FB-15-0002-2,
Assessor Parcel Numbers: 047-050-04, 047-050-05, 047-050-06, 047-040-01, 047-040-02, and 047-040-04
Partial Acquisition: Approximately 18.63 acres total (18.38 acres in fee, 0.25 acre in easement)

This property will be needed for construction of the HSTS between the Tulare-Kern county line and the Garces Highway.

Staff Recommendation: **Adopt Resolutions of Necessity authorizing the use of eminent domain to acquire three properties.**

OTHER BUSINESS

OTHER BUSINESS—1

AMENDEMENT TO THE STATE PUBLIC WORKS BOARD'S INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION (CALTRANS) FOR LEGAL SERVICES RELATED TO PROPERTY ACQUISITION FOR THE HIGH SPEED TRAIN SYSTEM (HSTS).

Consider the following actions:

- 1) Approval of the amendment to the interagency agreement between the Board and Caltrans presented to the Board which extends the term of the agreement by two years and six months and makes other non-substantive changes; and
- 2) Direct the Board's Executive Director and any Deputy Directors to execute the amendment.

OTHER BUSINESS

STAFF ANALYSIS ITEM—1

Action Requested

If approved, the requested action would approve the amendment of an interagency agreement between the Board and Caltrans and direct the Board's Director or any Deputy Directors to execute the amendment.

Background

At its May 11, 2012 meeting, the Board approved a request to direct and authorize staff to work with the High Speed Rail Authority (Authority) staff and Caltrans to negotiate an interagency agreement for legal representation of the Board on acquisition matters for the High Speed Train System (HSTS). The intent was to allow Caltrans to provide lawyers experienced in right-of-way acquisitions to assist and provide legal advice related to right-of-way acquisitions and eminent domain proceedings for the HSTS. The first interagency agreement between the Board and Caltrans was executed on May 21, 2013 and was in effect from October 1, 2012 through June 30, 2014. The Authority entered into a parallel interagency agreement with Caltrans under which the costs associated with the Board's interagency agreement are borne by the Authority.

The interagency agreements of the Board and the Authority have each been extended since the original interagency agreement. The term of the Authority's interagency agreement has recently been amended to expire after June 30, 2021. The current term of the Board's interagency agreement is set to expire after December 31, 2018.

The proposed amendment to the Board's interagency agreement extends the term of the agreement by two years and six months to run parallel with the Authority's interagency agreement. As a result, the new term of the agreement will expire after June 30, 2021.

Staff Recommendation: Approve the amendment of an interagency agreement between the Board and Caltrans and direct the Board's Director or any Deputy Directors to execute the amendment.

REPORTABLES

TO BE PRESENTED AT MEETING